

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- D. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.
- E. Pay the Housing Mitigation fee, estimated at \$6,125.88, prior to obtaining Building Permits.

2. ENVIRONMENTAL MITIGATION MEASURES

- A. In addition to complying with applicable City Codes, Ordinances, and Resolutions, minimize the identified potential environmental impacts by installing a liquid-containing berm around the chemical bins to contain at least 150% of largest tank and 20 minutes of sprinkler flow.
- B. Final plans shall bear the consultant's signature.
- C. All waste that leaves the site, including waste water from the processing plant, shall meet City, State and Federal waste disposal requirements and shall meet such requirements for disposal.
- D. Obtain any necessary permits from the City's Public Safety staff for on-site chemical use or storage prior to issuance of Building Permits.

3. EXTERIOR EQUIPMENT

- A. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.
- B. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.

4. LANDSCAPING

- A. Landscape and irrigation plans shall be subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The landscape plan shall include the following elements:
 - 1. Increase the landscaping to meet the 20% requirement for the site, including installation of tree bays to provide for shading of parking areas.
- B. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- C. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.
- D. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- E. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- F. All areas not required for parking, driveways or structures shall be landscaped.

5. TREE PRESERVATION

- A. Maintain the five existing “protected trees” (defined in SMC 19.94) as well as the smaller trees located along the rear property line.
- B. For any work performed within the drip-line of an existing “protected tree”, a tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:

1. An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
 2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
 3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- E. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

6. BICYCLE PARKING

- A. Provide one (1) Class I and one (1) Class II bicycle parking spaces per VTA Bicycle Technical Guidelines, as approved by the Director of Community Development. The Class II bicycle parking may be a bike rack, and the Class I may be a bike locker, locked compound or storage within the building.

7. SOLID WASTE

- A. Any chemical or hazmat waste from the site shall be removed and disposed of per local, state and federal requirements.

8. ROOF/ROOF SCREENS

- A. Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view to meet code requirements as noted in Sunnyvale Municipal Code Section 19.38.020.

9. STORAGE

- A. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure.
- B. All exterior trash shall be confined to approved receptacles and enclosures.
- C. Unenclosed storage area shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.

10. UNDERGROUND UTILITIES

- A. All existing service drops (extending from utility lines to the existing building) and proposed utilities shall be undergrounded.
- B. A copy of an agreement with affected utilities companies for existing overhead utilities which are on-site or within adjoining rights-of-way shall be provided to the Director of Community Development prior to issuance of a Building Permit or a deposit or bond in an amount sufficient to cover the cost of undergrounding shall be made with the City. Complete installation of conduits prior to occupancy.

11. MISCELLANEOUS

- A. The additional floor area herein approved shall be used solely for the proposed use of a chemical treatment facility and for no other purposes. Hazardous materials shall be licensed under the provisions of Title 20 of the Sunnyvale Municipal Code.